

**From:** [Lynch, John C.](#)  
**To:** ["Leonard Bennett"](#)  
**Cc:** [Kristi Cahoon Kelly](#); [Jones, Maryia Y.](#); [Matt Erausquin](#); [Dale Pittman](#); [Andrew Guzzo](#); [Vicki Ward](#); [Manning, Jason E.](#); [Russell, Karen L.](#)  
**Subject:** RE: Kelly v. Nationstar  
**Date:** Monday, February 03, 2014 4:04:00 PM

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I am surprised we cannot work this out, but we will file today the appropriate motion per your email below. Please let us know which of the below five dates are available for the deposition.

Thanks John

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**From:** Leonard Bennett [mailto:[lenbennett@clalegal.com](mailto:lenbennett@clalegal.com)]  
**Sent:** Friday, January 31, 2014 4:54 PM  
**To:** Lynch, John C.  
**Cc:** Kristi Cahoon Kelly; Jones, Maryia Y.; Matt Erausquin; Dale Pittman; Andrew Guzzo; Vicki Ward  
**Subject:** Re: Kelly v. Nationstar

Our dates are firm. If you move to add 30 days we will consent. And only then amend our notices.

Len Bennett

Sent from my iPhone

On Jan 31, 2014, at 4:51 PM, "Lynch, John C." <[john.lynch@troutmansanders.com](mailto:john.lynch@troutmansanders.com)> wrote:

Len and kristi

My client contact has been out of the office and will not return until Tuesday. However, we did talk with our expected corporate rep and we could do the deposition on feb. 19, 20 21 24 or 25.

I will not have an answer on the proposed amended complaint until Tuesday. I have told you both my recommendations on that issue. If I get an answer before Tuesday I will let you know.

If you want any additional time on discovery due to these deposition dates we are fine with seeking that permission from the court as Len suggested. The current discovery deadline is march 3.

Thanks john

Exhibit 1

Sent from my iPhone

On Jan 31, 2014, at 11:14 AM, "Leonard Bennett" <[lenbennett@clalegal.com](mailto:lenbennett@clalegal.com)> wrote:

John -

Given the way you handled Boyd, we refuse to move our dep dates. You will need to move for a PO and/or an enlargement. IF that is GRANTED, we can move them.

Len

On Jan 31, 2014, at 11:03 AM, Kristi Cahoon Kelly <[kkelly@kellyandcrandall.com](mailto:kkelly@kellyandcrandall.com)> wrote:

John,

Your client has not been very responsive to any of our attempts to seek agreements in this case- in meet and confers, regarding the motion to amend, and now depo dates. I am sure you saw we had to file our motion to amend yesterday without your consent, even though you had previously indicated you thought your client would consent, because we just never heard back. We have received no substantive response to the meet and confer we had almost two weeks ago and now have to trouble the court with discovery motions.

I don't think I can cancel the deposition set for Tuesday until I have an alternate date. Of course, I am always willing to accommodate and once we get an alternate date I will.

Thanks,

Kristi

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**From:** Lynch, John C. [<mailto:john.lynch@troutmansanders.com>]

**Sent:** Friday, January 31, 2014 10:33 AM

**To:** Kristi Cahoon Kelly; Jones, Maryia Y.

**Cc:** Matt Erausquin; Leonard Bennett; Dale Pittman; Andrew Guzzo; Vicki Ward

**Subject:** RE: Kelly v. Nationstar

Kristi,

Feb. 4 is not going to work on our side. I will get alternative dates asap. I

am sorry for not responding sooner- today has been the first day our office has reopened.

Thanks

**John C. Lynch**  
**Troutman Sanders LLP**  
Direct: 757.687.7765  
Fax: 757.687.1504  
Cell: 757.593.6625  
**E-mail**  
**Web**

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**From:** Kristi Cahoon Kelly [<mailto:kkelly@kellyandcrandall.com>]  
**Sent:** Thursday, January 30, 2014 5:05 PM  
**To:** Jones, Maryia Y.; Lynch, John C.  
**Cc:** Matt Erausquin; Leonard Bennett; Dale Pittman; Andrew Guzzo; Vicki Ward  
**Subject:** Kelly v. Nationstar

Counsel,

Please find attached Mr. Kelly's third request for discovery in this matter.

Additionally, we are planning to proceed with the corporate designee deposition on February 4<sup>th</sup> as we have not received any alternate dates or any concerns about unavailability.

Thanks,

Kristi C. Kelly  
Kelly & Crandall, PLC  
4084 University Drive, Suite 202A  
Fairfax, VA 22030  
Direct: 703-424-7572  
Fax: 703-591-0167  
Email: [kkelly@kellyandcrandall.com](mailto:kkelly@kellyandcrandall.com)

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